

THE GRAVE NOT FOR M'GUIRE

JUDGE BEACH DECIDES THAT HIS BONES CANNOT LIE IN CALVARY.

His Death at the Anti-Poverty Meeting Put Him Beyond the Pale of the Church, and the Cemetery Authorities Are Sustained in Refusing Him Burial—Another Blow at McMillan's Adherents.

Justice Beach, of the Supreme Court, today rendered his decision in the suit brought by Philip McGuire for an injunction restraining Archbishop Corrigan, Eugene Kelly and others, trustees of St. Patrick's Cathedral, from denying burial in consecrated ground of the remains of John McGuire, the father of the plaintiff.

Judge Beach decides in favor of the Cathedral trustees in a lengthy paper, made up principally of quotations from other judges in previous cases.

John McGuire was an old man, a life-long member of St. Stephen's Church. He was a devoted admirer of Rev. Edward McGlynn, and when the priest was suspended from his pulpit the old man's love and admiration for his priest was not abated, though he continued in attendance at St. Stephen's under Father Colton.

Of a Sunday evening, however, he was invariably to be found at the meeting of the Anti-Poverty Society at the Academy of Music, and on the 19th of March last he suddenly expired at one of these meetings.

In 1879 Mr. McGuire purchased a lot in Calvary Cemetery, and his wife was buried there. But when his son, Philip McGuire, would lay him beside his life's partner, the trustees of St. Patrick's Cathedral, and his wife were buried there, denied him the privilege on the ground that John McGuire had died out of the pale of the church.

Father Colton addressed a note to the authorities at Calvary, stating that John McGuire had received the sacrament at the mission in St. Stephen's Church a few weeks before, and was entitled to Christian burial. But the trustees still refused to permit the interment of the body, and it was placed temporarily in a vault at Greenwood Cemetery and the son brought this action.

The case was heard in Supreme Court Special Term in November, Col. George Bliss presiding, and the trustees of St. Patrick's and Father Colton were plaintiffs, and McGuire and his wife were defendants. The court-room was filled with church dignitaries and the followers of Dr. McGlynn, and there was a dramatic scene between Dr. Richard Lalor Bursell, of the Church of the Epiphany, the bosom friend of Dr. McGlynn, and Col. Bliss.

The former, as a witness for the plaintiff as an expert in ecclesiastical matters, declared that there was no longer such a thing as "minor excommunication," and in his belief John McGuire died a Roman Catholic. Col. Bliss denounced the popular priest as a rebel from the Church, and there was talk of the probability of the excommunication of Dr. Bursell.

Justice Beach heard the case without a jury, and in his decision he declares that it is not in the province of the Court to decide questions of ecclesiastical law, nor for the Court to say whether John McGuire did or did not die a Roman Catholic. There is no law or adjudication or law commentary to inform the Court what articles of faith and what course of life are absolutely essential to or what deviations in performance of religious duty or backsliding in faith may depose from the position.

That was a matter for the ecclesiastical tribunals, as they are the best judges of what constitute offenses against the word of God and the discipline of the Church.

"We have only to do with rights of property," says Justice Beach. "When a party applies for a burial plot in the office of a distinctively Catholic cemetery, it is with the tacit understanding that he is either a Roman Catholic, and such cemetery is a condition more reasonable or more closely united and vitally connected with the principal, if not the sole object, of a denominational cemetery."

Judge Beach held that a contract resting in parole existed between the trustees and the purchaser of the lot, and that the surrounding circumstances as the rules, regulations and customs of the trustees with regard to its burial in its cemetery.

AN ALLY FOR EXCISE REVISERS.

"Lewis the Light" Offers to Quell the Prohibitionists.

The Excise Revision Commissioners continued their labor at the Belling House this morning. As soon as the Belling House was called to order Mr. Stern announced that he had received a communication from Lewis the Light. It was on a telegram blank and read as follows:

To be laughed at by Crosby is not so bad as being laughed at by me. Prov. 1, 25-26. Read for me when you want these phrases. Prohibitionists and damned D. D.'s taken down a peg or two for the people's good. Lewis the Light, the Recorder's friend.

The Commission then proceeded to the discussion of the new sections that were proposed at previous meetings.

To Look Into These Bribery Charges.

The investigation of the charges of bribery made against the Recorder of the Brewers' Exchange, and certain delegates of the Central Labor Union will not begin until Thursday night. A committee of five appointed yesterday by the Central Labor Union will conduct the inquiry. The report that the Committee is composed of Societies is correct. Messrs. Archibald and Collins, two of the members, are certainly not Socialists.

Belinda Wanted a Quiet Sunday.

Belinda Barry's quiet, in a tenement at 171 Mulberry street, was disturbed on Sunday by the noise in the apartments of Margaret Gerrity, on the floor overhead. Belinda went up to enter a protest, when Margaret came down with a hand and a hand and a hand. Belinda under the left eye. At the Tomb's meeting Margaret was held for trial. Her mother, Mary Gerrity, created a scene in the court-room, and was fined \$10 for disorderly conduct.

Meetings of Pastors.

At the regular monthly meeting of Methodist preachers at 805 Broadway this morning special prayer was offered in behalf of Rev. Dr. Hare, Presiding Elder of the Poughkeepsie District, who has been very ill for a long time.

Rev. J. Ferris Patton was today elected Moderator of the Baptist Pastors' Conference at its weekly gathering at 6 Murray street. The session was afterwards devoted to the reading of an essay by Prof. Briggs, of the Union Theological Seminary.

Still Threatening Higgins.

The National Executive Committee of the Carpet Workers' Union is in this city inquiring into the reduction of wages at E. R. Higgins & Co.'s factory. A report is current that all the Union hands—about 700 in number—will strike unless the firm restores the rate of one cent an hour in force up to Dec. 17 last. The National Committee will probably act upon the matter within a day or two.

Pay-Day for Election Clerks.

Comptroller Myers to-day announced that the inspectors of elections and poll clerks at the last general election will be paid next Wednesday.

BROOKLYN NEWS.

A Retired Merchant Drowns Himself in a Cistern in His House.

Christian S. Ammond, age sixty-eight years, an Eastern District merchant, was found drowned this morning in a cistern in the rear of his home, 191 Jacobus street.

When he did not come down to his breakfast his daughter became alarmed and went up to his room. Not finding him there, she hurried down into the yard. She needed the ladder to the cistern was off, and looking in saw his head sticking up out of the water.

Dependancy is believed to have been the cause of the suicide. Mrs. Ammond said that her husband had been suffering from a nervous ailment about a year ago by shooting herself.

Brooklyn News in Brief.

Fire early this morning in the saloon of John Freeman, on the ground floor of the four-story tenement-house 135 Smith street, caused considerable excitement and a damage of \$1,000.

Three frame houses in course of erection on Green Avenue, near Myrtle street, owned by David E. James, were blown down during the storm and completely wrecked. About fifty feet of fencing on Columbia street, near Baltic, owned by Alexander McGowan, was also wrecked.

George Manning, a laborer residing at 1711 Atlantic avenue, was this morning held to answer a charge of stealing a watch and chain from Mrs. Emma Booth, of 1619 Atlantic avenue.

At the annual meeting of the Police Mutual Aid Association, of Brooklyn, the following officers were elected: Sergt. Edward Dyer, President; Patrolman Robert H. Davis, Vice-President; Patrolman George N. Payne, Secretary; Frederic L. Jones, Treasurer.

Roundman McLaughlin, of the Second Precinct, last evening arrested bartender William Smith, of 129 Fulton street, for violation of the Excise law, and also arrested Peter Moller, who offered the Roundman a five-dollar bill to "clear" Smith.

REICH SHEDS TEARS OF JOY.

He Sends a Letter of Thanks to Gov. Hill for Saving His Neck.

The first visitor to call on Wife Murderer Reich in the Tombs this morning was William F. Howe, who was retained by Reich's fellow religionists and compatriots in this city to endeavor to save Reich from the gallows.

It was Mr. Howe who went to Albany at the request of many prominent Jewish congregations to plead for the Governor to save Reich from the hangman, and when the brawny lawyer entered Reich's cage this morning he was greeted with effusive thanks and tears.

Reich made Mr. Howe promise him that he would have translated a letter which Reich had written to Gov. Hill, fervently thanking him for the mercy which he had extended in his behalf and vowing that he would remember the Governor in his daily prayers.

After Mr. Howe's visit to Reich, Mr. Howe served upon Sheriff Flack the formal notice which he received this morning from William F. Howe, Reich's private secretary, after the sentence of Reich from the death punishment to imprisonment for life.

The Sheriff's death watch is still on duty at the prison, but the strain of discipline and their part is greatly relaxed, and it is only a question of a few hours until the relieved man will be put back in his old cell pending his transfer to Sing Sing.

MR. DOOLITTLE ACCUSED OF BRIBERY.

The Chicago "Times" Has Another Sensation—Money in Its Safe.

CHICAGO, Jan. 7.—The Times this morning publishes a two-column article devoted to James R. Doolittle, Jr., son of ex-Senator Doolittle, of Wisconsin, who will be remembered in connection with the impeachment of President Andrew Johnson.

James R. Doolittle, Jr., is attorney for the State Street Elevated Railroad, and it is claimed, made an attempt to bribe a former employee of the railroad by offering him an salary of \$5,200 per year to divulge certain information relating to Alderman Crook's crookedness. It is claimed that a payment of \$100 for the same was made, and that the Times now has the money locked up for safe keeping.

Free Sons of Israel Celebrate.

The officers of Standard Lodge No. 34, I. O. E. S. of I., were installed last evening at Maencher Hall, in Fifty-sixth street, in the presence of a large gathering. The newly elected officers are: Hamburg, President; S. Wagner, Vice-President; Jacob L. Cohen, National Secretary; B. Ehrenreich, Recording Secretary; W. D. Dan, Treasurer; Gus Rosenblatt and Lewis Heiser, Trustees. A collection followed the installation.

To Adjust the Fishery Question.

[BY CABLE TO THE PRESS NEWS ASSOCIATION.]

LONDON, Jan. 7.—A report is current that Sir Baden Powell will shortly proceed to Washington and Ottawa as special plenipotentiary of Great Britain to negotiate on the fishery question.

Nothing definite as to the correctness of the report has been made public.

The Cercle Français de l'Harmonie Banquet.

Seven o'clock p. m. is the hour set for the assembling of the guests who are to participate in the annual banquet of the Cercle Français de l'Harmonie in the Hoffman House, this evening. The annual ball of the Society will take place in the Metropolitan Opera-House on Jan. 31.

The Cromwellian Aldermen.

Five members of the Council of the Board of Aldermen, under the leadership of Wilson F. F. F., called upon Mayor Grant at noon today and asked to file their oaths of office. Mayor Grant refusing, the usual protest was filed.

Peter Beyer was discharged.

Peter Beyer, the man who jumped overboard at the foot of Sussex street, Jersey City, last Saturday morning, was arraigned before Justice Stirling this morning and discharged.

Ben Hopkins Died at Home.

[SPECIAL TO THE EVENING WORLD.]

CINCINNATI, O., Jan. 7.—Ben Hopkins, of the Realty Bank, who has just been pardoned out of the penitentiary by the President, died this morning.

A Busy Place.

[From the Philadelphia Record.]

First Hackman scene. Camden ferry on arrival of boat—Right this way, ladies and gentlemen, carriage to any part of the city.

Second Hackman—Carriage to Lover's Hotel, only 50 cents.

Third Hackman—Right this way if you think you are followed and want a fast team. Three minutes to the pole, and no extra charge!

Fourth Hackman—Carriage to the City. Only authorized hack for Rev. Mr. Hitchcock.

Fifth Hackman—Free coach to the St. Cyprian parsonage! No time lost! Drop a nickel in the slot and get a certificate!

The Other String to the Bow.

[From the Burlington Free Press.]

Mrs. Small—I don't see how we are going to keep the children warm this winter, Alfred.

Mr. Small—Really—Well, I suppose we can afford to fire part of the time, and part of the time we can keep them warm.

New York Markets.

WHEAT—May opened at \$1.05 1/2, against \$1.04 1/2, Saturday's closing quotation. During the forenoon the quotation advanced to \$1.05 1/2, but declined to \$1.05, at which figure it was quoted at noon. Feb. opened at \$1.04 1/2, \$1.04 1/2; June, \$1.04 1/2. The market was dull.

Chicago—Futures opened weak, points decline. Aug. 9.00; Oct. 9.00; Nov. 8.95; Dec. 8.90; Jan. 8.85; Feb. 8.80; Mar. 8.75; Apr. 8.70; May 8.65; June 8.60; July 8.55; Aug. 8.50; Sept. 8.45; Oct. 8.40; Nov. 8.35; Dec. 8.30; Jan. 8.25; Feb. 8.20; Mar. 8.15; Apr. 8.10; May 8.05; June 8.00; July 7.95; Aug. 7.90; Sept. 7.85; Oct. 7.80; Nov. 7.75; Dec. 7.70; Jan. 7.65; Feb. 7.60; Mar. 7.55; Apr. 7.50; May 7.45; June 7.40; July 7.35; Aug. 7.30; Sept. 7.25; Oct. 7.20; Nov. 7.15; Dec. 7.10; Jan. 7.05; Feb. 7.00; Mar. 6.95; Apr. 6.90; May 6.85; June 6.80; July 6.75; Aug. 6.70; Sept. 6.65; Oct. 6.60; Nov. 6.55; Dec. 6.50; Jan. 6.45; Feb. 6.40; Mar. 6.35; Apr. 6.30; May 6.25; June 6.20; July 6.15; Aug. 6.10; Sept. 6.05; Oct. 6.00; Nov. 5.95; Dec. 5.90; Jan. 5.85; Feb. 5.80; Mar. 5.75; Apr. 5.70; May 5.65; June 5.60; July 5.55; Aug. 5.50; Sept. 5.45; Oct. 5.40; Nov. 5.35; Dec. 5.30; Jan. 5.25; Feb. 5.20; Mar. 5.15; Apr. 5.10; May 5.05; June 5.00; July 4.95; Aug. 4.90; Sept. 4.85; Oct. 4.80; Nov. 4.75; Dec. 4.70; Jan. 4.65; Feb. 4.60; Mar. 4.55; 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Mar. -27.85; Apr. -27.90; May -27.95; June -28.00; July -28.05; Aug. -28.10; Sept. -28.15; Oct. -28.20; Nov. -28.25; Dec. -28.30; Jan. -28.35; Feb. -28.40; Mar. -28.45; Apr. -28.50; May -28.55; June -28.60; July -28.65; Aug. -28.70; Sept. -28.75; Oct. -28.80; Nov. -28.85; Dec. -28.90; Jan. -28.95; Feb. -29.00; Mar. -29.05; Apr. -29.10; May -29.15; June -29.20; July -29.25; Aug. -29.30; Sept. -29.35; Oct. -29.40; Nov. -29.45; Dec. -29.50; Jan. -29.55; Feb. -29.60; Mar. -29.65; Apr. -29.70; May -29.75; June -29.80; July -29.85; Aug. -29.90; Sept. -29.95; Oct. -30.00; Nov. -30.05; Dec. -30.10; Jan. -30.15; Feb. -30.20; Mar. -30.25; Apr. -30.30; May -30.35; June -30.40; July -30.45; Aug. -30.50; Sept. -30.55; Oct. -30.60; Nov. -30.65; Dec. -30.70; Jan. -30.75; Feb. -30.80; Mar. -30.85; Apr. -30.90; May -30.95; June -31.00; July -31.05; Aug. -31.10; Sept. -31.15; Oct. -31.20; Nov. -31.25; Dec. -31.30; Jan. -31.35; Feb. -31.40; Mar. -31.45; Apr. -31.50; May -31.55; June -31.60; July -31.65; Aug. -31.70; Sept. -31.75; Oct. -31.80; Nov. -31.85; Dec. -31.90; Jan. -31.95; Feb. -32.00; Mar. -32.05; Apr. -32.10; May -32.15; June -32.20; July -32.25; Aug. -32.30; Sept. -32.35; Oct. -32.40; Nov. -32.45; Dec. -32.50; Jan. -32.55; Feb. -32.60; Mar. -32.65; Apr. -32.70; May -32.75; June -32.80; July -32.85; Aug. -32.90; Sept. -32.95; Oct. -33.00; Nov. -33.05; Dec. -33.10; Jan. -33.15; Feb. -33.20; Mar. -33.25; Apr